

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	
LITIGATION)	MDL No. 1456
)	
THIS DOCUMENT RELATES TO:)	CIVIL ACTION: 01-CV-12257-PBS
)	
ALL CLASS ACTIONS RELATING TO)	
TRACK TWO DEFENDANTS)	Hon. Patti B. Saris
)	

**CLASS MEMBER PATRICIA WEATHERLY'S MOTION TO WITHDRAW
ALL PENDING MOTIONS, SUBMISSIONS AND OBJECTIONS
CONCERNING THE PROPOSED TRACK 2 SETTLEMENT**

In light of certain material, beneficial changes to the proposed consumer class settlement in Track 2, Objector Patricia Weatherly hereby moves, pursuant to Rule23(e)(5)¹, to withdraw her pending motions, submissions and objections to the proposed Track 2 settlement. In support thereof, Class Counsel have rebalanced the proposed settlement, raising the allocation to consumers such as Patricia Weatherly to 20% of the settlement, an increase of \$3,125,000. In addition, Class Counsel fees have been reduced to 28% of the proposed settlement, a reduction of over \$460,000, also to the benefit of the consumer classes.

WHEREFORE, Patricia Weatherly, by and through her undersigned counsel, hereby respectfully requests that this Honorable Court grant her Motion to Withdraw All Pending Motions, Submissions and Objections Concerning the Proposed Track 2 Settlement.

¹ Federal Rule Rule23(e)(5) provides that any objection to a proposed class action settlement "may be withdrawn only with the court's approval.

Dated: September 21, 2011

Respectfully submitted
Patricia Weatherly,

By: /s/ Richard F. Landrigan
Richard F. Landrigan (BBO# 284960)
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CERTIFICATE OF SERVICE

Docket No. MDL 1456

I, Richard F. Landrigan, hereby certify that on September 21, 2011 I caused a true copy of Class Member Patricia Weatherly's Motion to Withdraw all Pending Motions, Submissions and Objections Concerning The Proposed Track 2 Settlement to be served on all counsel of record by causing same to be posted electronically through the Court's electronic filing service.

/s/ Richard F. Landrigan
Richard F. Landrigan